

### REMARKS

Applicants have carefully considered the Final Office Action of June 10, 2009, in which claims 1-20 are pending, claims 1-8 and 10-12 have been rejected, claim 9 has been objected to, and claims 13-20 have been allowed. Applicants respectfully request reconsideration in light of the above amendments and following remarks.

#### *Claim Rejections*

Claims 1-5, 7-8 and 11-12 were rejected under 35 U.S.C. §102(b) as being anticipated by Hirokawa et al., U.S. Patent No. 5,927,202. Applicants respectfully traverse the rejection because Hirokawa et al. do not teach all the elements of these claims.

In the Office Action, Hirokawa et al. are asserted to teach a first clamping element 5, a pivotably mounted second clamping element 3 and a spindle 23, among other elements. Office Action, page 2. Briefly, second clamping element 3 is not pivotably mounted, nor are these various elements in Hirokawa et al. configured as claimed in claim 1.

Element 3 is slidable in a plane. Hirokawa et al. teach that "the tail edge side clamping base 3 is held within the cut-out part 61 so as to be moveable in the directions of the arrow 90, the arrow 91, the arrow 92 and the arrow 93." Column 6, lines 40-43 and Figure 1. Element 3 cannot therefore be said to be pivotably mounted.

Claim 1 recites "in which it holds the plate clamped in between the clamping elements." Nothing is clamped between elements 3 and 5 of Hirokawa et al. See Figure 2a, for example, and column 5, lines 62-66: "The tail edge side clamping base 3 and the tail edge side claim 5...together form a second clamping part in this embodiment.

Claim 1 further recites "wherein, in the clamping position, the spindle is pressed against the second clamping element by the spring part." (The spring part is said to correspond to element 16 of Hirokawa et al.) Hirokawa et al. teach that "the cam shaft 23 is inserted into holes 24 (FIG. 1) formed in side walls 35 of the plate cylinder 60." Column 5, line 67 – column 6, line 1. Thus the cam shaft is fixed and can only be rotated rather than shifted along a linear axis. The Figures show that the cam shaft 23 might be in contact with element 3, but the specification is completely silent on the matter. If cam shaft 23 pushes on element 3, the only direction in it can push is up (perpendicular to arrows 90, 91, 92 and 93). The Figures show no movement of element 3 in this direction. Moreover, cam shaft 23 pushing on element 3 directly

serves no purpose in the system of Hirokawa et al. Rotating of clam shaft 23 allows springs 13 and 16 to push (either directly in the case of spring 13 or through element 15 in the case of spring 16) on element 3 in the direction of arrows 90 and 91. Thus, based on the disclosure of Hirokawa et al., one cannot say that cam shaft 23 is pressed against the second clamping element. There is no teaching that this is done nor is there any reason to see why it would be advantageous. Moreover, it is not the spring 16 that moves cam shaft 23. Rather it is the rotation of cam shaft 23 that allows spring 16 to expand or forces it to compress. Thus, additionally, one cannot say that "the spindle is pressed against the second clamping element by the spring part" as recited in claim 1.

Because Hirokawa et al. do not disclose each and every element of the invention of claim 1, as discussed above, Applicants submit that claim 1 is in condition for allowance. As claims 2-5, 7-8 and 10-12 depend from claim 1 and contain additional elements, Applicants submit that these claims are in condition for allowance as well.

Claims 6 and 10 were rejected under 35 U.S.C. §103(a) as being anticipated by Hirokawa et al. in view of Klopfenstein, U.S. Patent No. 5,374,093. Applicants respectfully traverse the rejection.

Klopfenstein et al. are cited merely for disclosing certain elements recited in dependent claims 6 and 10 and do not remedy the deficiencies of Hirokawa et al. discussed above with respect to claim 1. Thus when all the words in claims 6 and 10 are properly considered, it can be seen that no *prima facie* case of obviousness has been made. Applicants accordingly submit that these claims are in condition for allowance.

### ***Claim Objections***

Claim 9 was objected to as depending from a rejected base claim, but was indicated as otherwise allowable. As claim 9 depends from claim 8, which Applicants submit is allowable, and contains additional elements, Applicants submit that claim 9 is also in condition for allowance and, consequently, Applicants request withdrawal of the objection.

### ***Allowable Claims***

Applicants thank the examiner for the indication of allowability with respect to claims 13-20 and agree that the claims are allowable for at least the reasons given in the Office Action

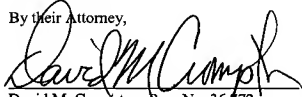
**Conclusion**

Reconsideration and further examination of the rejections are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,  
Gunther Josef Hoier et al.  
By their Attorney,

Date: \_\_\_\_\_

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David M. Crompton, Reg. No. 36,772  
CROMPTON, SEAGER & TUFTE, LLC  
1221 Nicollet Avenue, Suite 800  
Minneapolis, MN 55403-2420  
Telephone: (612) 677-9050  
Facsimile: (612) 359-9349